

2133#2



DOCKET NO. MS155556.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of

Applicant: **Arthur W. Brooking, et al.**
Serial No.: **10/038,246**
Filed: **January 3, 2002**
For: **SYSTEM AND METHOD FACILITATING NETWORK DIAGNOSTICS AND SELF-HEALING**
Art Unit: **2133**
Examiner: **Unknown**

INFORMATION DISCLOSURE STATEMENT

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Assistant Commissioner for Patents
U.S. Patent and Trademark Office
Washington, D.C. 20231

Sir:

1. Pursuant to 37 C.F.R. 1.97 and 1.98, and in compliance with 37 C.F.R. 1.56, the Office's attention is directed to the patents, publications and other information listed on the attached PTO-1449. A copy of each listed document is enclosed except for: (a) pending applications or (b) those previously cited or submitted to the Office in the following application(s) upon which this application relies for an earlier filing date under 35 U.S.C. 120:

Serial No.: _____
Filing Date: _____

Regarding any document, publication or other information for which a date is not given on the attached PTO-1449, Applicant(s) believe(s) the same may qualify as "prior" art to this application and should be treated accordingly, although Applicant(s) reserve(s) the right to contest the prior art status of any document, publication or information, should issue arise.

2. Regarding each listed document that is not in the English language, an English-language translation accompanies this Statement as indicated on the attached PTO-1449 or a concise explanation of the relevance of the document is set forth in the following document(s):

- (a) ____ Copy of each English language version of a search report indicating the degree of relevance found by the foreign office of each document being submitted from the search report.
- (b) ____ Attachment entitled "Concise Explanation of Relevance of Non-English Language Documents".

3. Pursuant to 37 C.F.R. 1.97(b) this Statement is being filed (one must be checked):

- (a) X Within 3 months of the filing date or date of entry into the National Stage.
- (b) ____ Before the mailing date of a first Office Action on the merits. If this Statement is not filed before the mailing date of a first Office Action on the merits, the required certification is given below or, in the absence thereof, the Office is authorized to charge the required fee set forth in 37 C.F.R.

(c) ____ After the period set forth in 37 C.F.R. 1.97(b) but before the mailing date of either a final action or a notice of allowance.

(1) ____ The required certification is given below, or

(2) ____ Enclosed is a check covering the fee set forth in 37 C.F.R. 1.17(p) for consideration of this Statement.

(d) ____ After the mailing date of either a final action or a notice of allowance, but before payment of the issue fee. Petition hereby is made for consideration of this Statement and the required certification is indicated below.

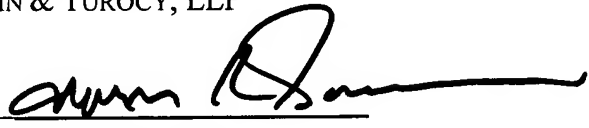
(1) ____ Enclosed is a check covering the fee set forth in 37 C.F.R. 1.17(i)(1), or

4. Certification (if applicable)

(a) ____ The undersigned hereby certifies that each item of information contained in this Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than 3 months prior to the filing of this Statement.

(b) ____ The undersigned hereby certifies that no item of information contained in this Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the undersigned's knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. 1.56(c) more than 3 months prior to the filing of this Statement.

Respectfully Submitted,
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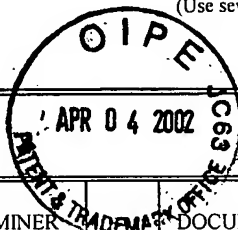
CERTIFICATE OF MAILING UNDER 37 C.F.R. '1.8

I hereby certify that this correspondence (along with any paper referenced as being attached or enclosed) is being deposited on the below date with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231

Date: 3/25/2002


Leslie Kuder

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| Form PTO-1449 (Modified) LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary) | Atty Docket No.: MS155556.1 | Serial No.: 10/038,246 |
| | Applicant: Aurther W. Brooking, et al. | |
| | Filing Date: 1/3/2002 | Group: 2133 |



REFERENCE DESIGNATION U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | TRADEMARK OFFICE | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIA TE |
|---------------------|---------------------|-----------------|------|------|-------|----------|--------------------------------------|
| | AA | | | | | | |
| | AB | | | | | | |
| | AC | | | | | | |
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FOREIGN PATENT DOCUMENTS

| Examiner Initial | | Document Number | Date | Country | Class | Subclass | Translation | |
|---------------------|----|-----------------|------|---------|-------|----------|-------------|----|
| | | | | | | | Yes | No |
| | AK | | | | | | | |

OTHER ART(Including Author, Title, Date, Pertinent Pages, etc.)

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|----------|---|
| AL | Protocol Directory; http://www.protocols.com/pbook/tcpip.htm , Last Viewed October 30, 2001, p. 1-13 |
| AM | |
| EXAMINER | DATE CONSIDERED |

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.